

MAY 13 2011

TONY R. MOORE, CLERK  
BY                      DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CRIMINAL CASE NO. 5:05CR50112-01

VERSUS

JUDGE STAGG

FERNANDO HERRERA

MAGISTRATE JUDGE HORNSBY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:



The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

\_\_\_ The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Shreveport, Louisiana, this 12<sup>th</sup> Day of May, 2011.

Tom Stagg

Tom Stagg  
UNITED STATES DISTRICT JUDGE